



PATENT
ATTORNEY DOCKET NO. 053848-5017

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Naoto INABA, *et al.*) Confirmation No. 5803
Application No. 10/680,174) Group Art Unit: 3662
Allowed: August 12, 2004) Examiner: B. Andrea
Filed: October 8, 2003)
For: RANGING APPARATUS, RANGING)
METHOD, AND OPTO-ELECTRONIC)
CONVERSION CIRCUIT)
)

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop RCE
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b) and after further facts coming to the attention of the undersigned, Applicants bring to the attention that the statement under 37 C.F.R. § 1.97(e) in the Information Disclosure Statement submitted on Auguat 17, 2004 was improper in that the references were previously cited in an International Search Report from a PCT counterpart of the present application. Accordingly, Applicants hereby file an Information Disclosure Statement under 37 C.F.R. § 1.97(b) and an RCE to remedy this inadvertent error.

A concise explanation of relevance for each of the non-English language documents listed may be ascertained from the English-language translation of their Abstract and, the figures respectively therein, and the PCT International Search Report citing these references.

Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If it should be determined that the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required,

including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: _____



David B. Hardy

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Dated: November 5, 2004

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**INFORMATION DISCLOSURE
CITATION**

Attorney Docket No.

053848-5017

Application No.

10/680,174

(Use several sheets if necessary)

NOV 05 2004

Applicant: Naoto INABA, et al.

PTO Form 1449

Filing Date: October 8, 2003

Group Art Unit: 3662

U.S. PATENT DOCUMENTS

*Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date
	5,760,887	06/02/1998	Fink, et al.			
	5,739,901	04/14/1998	Fujioka, et al.			
	4,699,507	10/13/1987	Etoh			

FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Sub Class	<u>Translation</u>	YES	NO
	7-225892	08/22/1995	Japan			Abstract		
	7-055941	03/03/1995	Japan			Abstract		
	2-201186	08/09/1990	Japan			Abstract		
	59-024278	02/07/1984	Japan			Abstract		
	59-018472	01/30/1984	Japan			Abstract		
	WO 02/054109	07/11/2002	World			Abstract		
	WO 02/48738	06/20/2002	World			Abstract		

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		"Introduction to Radar Systems", Merrill I. Skolnik, 2nd Edition, McGraw-Hill Publishing Company, pp 388-389.

Examiner

Date Considered

Examiner:

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

DBH/fdb

November 5, 2004

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